

REMARKS

Entry and reconsideration of the claims is respectfully requested, because it is believed that the claim amendments clarify the patentably distinguishing features of the present invention and should not entail any further search by the Examiner since no new features are being added or no new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

STATUS OF CLAIMS

Claims 1-35 are pending.

Claims 8-13 and 22-31 are rejected under 35 USC 103(a) as being unpatentable over Ouchi (US Patent No. 6,553,407) in view of Visser (US Patent No. 5,809,446). Page 3 of the Office Action.

Claims 1-7 and 14-21 and 32-35 are rejected under 35 USC 103(a) as being unpatentable over Ouchi in view of Machida (US Patent No. 6,035,304). Machida is newly cited, and thus, newly relied upon.

Claim 32 is also rejected under 35 USC 102(e) as being anticipated by Ouchi or Machida.

Independent claims 1, 3, 8, 14, 21, 22, and 31-34 are amended.

Thus, claims 1-35 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment. The foregoing rejections are traversed as follows:

DRAWINGS

Corrected drawing replacement sheets for FIGS. 6, 9, 13 and 16 (total of 2 sheets) are submitted as attachments hereto. FIGS. 6, 9 and 13 are corrected to correspond to the

descriptions on pages 11, 15, and 18 of the specification and to original FIGS. 6, 9, and 13 by showing the various freshness shadings. FIG. 16 is corrected by inserting "MEMBER LIST" in the second window box to identify the second window box that lists members belonging to the group "CLUB." Support for FIG. 16 as amended can be found, for example, on page 21 of the specification.

35 USC 102 and 103 REJECTIONS

Claims 1, 3, 8, 14, 21, 22, 31, 32, 33, and 34 are independent.

Independent claims 1, 3, 8, 14, 21, 22 and 31-34 are amended to clarify the patentably distinguishing features of the present invention and the claim amendments are not narrowing claim amendments for overcoming the relied upon prior art in the Office Action. In particular, the independent claims are amended to clarify that a display mode of the condition information is the displaying of the condition information as changed based upon freshness of the condition information (i.e., as recited in amended claim 1, "determining a display mode displaying the condition information depending on the freshness of the condition information-~~a display mode of the condition information~~, wherein the display unit displays the display mode of the condition information and a user can observe at a glance the freshness of the condition information").

Support for the claim amendments can be found, for example, in page 11, lines 9-27 and FIG. 6.

Ouchi, Visser, & Machida

The Examiner's response to the previous Amendment is on page 3, last paragraph, of the final Office Action. It is understood that generally the Examiner asserts that the claims do not recite associating a display mode (faces with degree of happiness) with freshness of information, that both Ouchi and Machida teach a display for displaying information (display mode) to a viewer, and in Machida the displayed information shows freshness of information, so that Machida associates displayed information (entry 802) with freshness information.

The Applicants do not agree with the Examiner's rationale, because "a display mode" of condition information is the displaying of the condition information, such as a happy face display indicating a person's mood, which in the present invention is associated with freshness by changing the display mode. Nevertheless the independent claims are amended to clarify "a display mode." The amended claims clearly recite, "determining a display mode displaying the condition information depending on the freshness of the condition information," which has a benefit of visually informing a user of a freshness level of the condition information. In other

words, “determining a display mode displaying the condition information depending on the freshness of the condition information” (claims 1, 3, 21, 22, and 33) and “changing the display mode displaying the condition information depending on a passage of time as freshness information (claims 8, 14, 31, and 34), has a benefit of being a visual freshness notification of the condition information via the changing display mode displaying the condition information. Independent claim 32 is amended to provide an alternative recitation of the invention consistent with the other independent claims. Therefore, the independent claims 1, 3, 8, 21, 22, and 31-34 recite associating a display mode displaying condition information with freshness information by changing the display mode.

The previous arguments regarding Ouchi and Visser are reasserted herein again, such that clearly Ouchi and Visser do not relate to the present invention's changing, according to freshness, a display mode displaying the condition information. Ouchi and Visser are absolutely silent on, “determining a display mode displaying the condition information depending on the freshness of the condition information,” because Ouchi and Visser do not provide “a display mode displaying the condition information” and therefore they cannot change the display mode displaying the condition information. Further the present invention is patentably distinguishing over Machida as follows:

Machida

Machida discloses a multimedia broadcasting system providing the user with not only a multimedia service (main service) but also a wide variety of additional services specific to the main service (Abstract, column 5, lines 21-25). Machida, FIGS. 14-16, are diagrams showing how service adding information (SAI) 10 is displayed on the screen of the display device 75 of FIG. 4 (column 12, lines 49-64). As referred to by the Examiner, Machida, column 12, lines 49-64, discloses reliability information 260 and freshness information 280 (FIG. 16). Also as referred to by the Examiner, Machida calculates and displays freshness information 280 corresponding to the received service (application) based upon passage of time (column 14, lines 38-43; and column 21, lines 12-13 including FIG. 60, entry 802).

However, in contrast to the claimed invention, Machida separately provides freshness information that corresponds to the received service (application) (column 14, lines 30-44 and FIGS. 14-16 and 60), which differs from the present invention's changing a display mode displaying received condition information according to freshness. Machida does not provide a display mode displaying condition information, and therefore Machida cannot change the display mode displaying the condition information based upon freshness of the condition information. In

other words, in contrast to the present invention, Machida does not change a display mode displaying the received service (application) depending on freshness, but Machida separately provides freshness information for the received service. More particularly, in Machida, Fig. 16, the service display area 411 is not changed. However, for example, as shown in FIG. 6 of the present Application, a display mode displaying the person's mood condition (e.g., the happy face display) is changed according to freshness level. In FIG. 6, the display mode displaying SATOMI's mood condition, which is happy, is very dark indicating most fresh based upon the freshness level-condition display mode table in FIG. 5. In other words, in FIG. 6, a user can be visually informed that SATOMI was recently in a happy mood. Machida simply does not disclose or suggest the present invention's changing, according to freshness, a display mode displaying the condition information.

The independent claims are amended to clarify that a display mode of the condition information is displaying of the condition information as changed based upon freshness of the condition information.

In particular, independent claim 32 as follows:

32. (CURRENTLY AMENDED) A display, comprising:
 a programmed computer processor ~~displaying a graphical~~
~~user interface showing~~controlling a graphical display mode
~~of displaying~~ user condition information ~~and according to~~ timeliness
 of the user condition information ~~depending on passage of time.~~

The other independent claims 1, 3, 8, 14, 21, 22, 31, 33 and 34, using the recitation of claim 1 as an example, are amended to further clarify the recitation, "a display mode of the condition information," as follows:

... determining a display mode displaying the condition
information depending on the freshness of the condition
~~information-a display mode of the condition information~~, wherein
 the display unit displays the display mode of the condition
 information and a user can observe at a glance the freshness of
 the condition information.

The proposed claim amendments clarify that a display mode of the condition information is displaying of the condition information as changed based upon freshness of the condition information. Machida simply does not disclose or suggest the present invention's changing, according to freshness, a display mode displaying the condition information. Support for the claim amendments can be found, for example, in page 11, lines 9-27 and FIG. 6.


CONCLUSION

In view of the amendments and the remarks, withdrawal of the rejections of claims 1-35 and allowance of claims 1-35 is respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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